

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NATCOM BANCSHARES, INC.,

Plaintiff,

v.

BRENDA L. JOHNSON, MURRAY R. JOHNSON,
DIANA T. JOHNSON, T.R.J., a minor,
M.P.J., a minor, M.S.J., a minor, and T.P.J., a minor,

Defendants.

ORDER

12-cv-334-bbc

A telephone pretrial conference was held in this case on March 28, 2013. Petitioner appeared by Don Schott; respondents appeared by Wallace Hilke.

The first issue was whether petitioner's board members would appear at the trial voluntarily. They will not, so it will be necessary for respondents to subpoena them. As for Todd Johnson, the chairman of the board, petitioner takes the position that he is not subject to the court's subpoena power because he lives in Minnesota. If he is served with a subpoena and objects to it, the matter can be decided at that time. Given his importance to the case and to an understanding of the nature of some of the stock transactions whose true value may be at issue, petitioner may decide that he should be present so that the court can assess his credibility.

Respondents' objection to petitioner's use of two expert witnesses is overruled. So long as the experts testify on separate topics, they may testify about their view of the value of the stock. If I decide that their testimony is cumulative, I will cut it off.

Counsel still believe that the trial will last no more than three days. Mr. Hilke plans to come to court early on Monday morning to have a short tutorial in the use of the visual presentation equipment.

Entered this 28th day of March, 2013.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge